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January 13, 2022

BY ECF

The Honorable Denise L. Cote
United States District Court Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: United States v. Ikechukwu Elendu; 20 Cr. 179 (DLC)

Dear Judge Cote:

We represent Ikechukwu Elendu in the above-referenced matter, having been appointed pursuant to the provisions of the Criminal Justice Act ("CJA"), 18 U.S.C. § 3006A.

We respectfully submit this letter to supplement our request that the Court adjourn Mr. Elendu's surrender date of Friday, January 14, 2022 for four to six weeks [REDACTED]. As the Court may recall, we requested an adjournment of his original sentencing date due [REDACTED]. ECF No. 468. Since the procedure on November 3, 2021, Mr. Elendu has suffered unexpected complications.

[REDACTED] With the Bureau of Prison's current focus on preventing the spread of COVID-19, there is a risk that Mr. Elendu, should he be incarcerated on Friday, will not be unable to undergo this surgery in a timely manner, which could cause him further complications and pain.

As noted in our initial letter, an adjournment of Mr. Elendu's surrender date is also needed because his wife tested positive for COVID-19 on January 10, 2022 and is isolating. Mr. Elendu is presently the only person available to care for his mother and two children, who are three years old and sixteen months old. He must be available to care for them, at least until his wife is no longer infected. Although Mr. Elendu is presently

asymptomatic and negative for COVID-19, he has been exposed, and without waiting the Centers for Disease Control and Prevention's recommended isolation period of five days for asymptomatic persons,¹ assuming he stays asymptomatic, and subsequently testing negative, incarcerating him may negatively affect the prison population of his designated facility.

Accordingly, we respectfully request that the Court adjourn Mr. Elendu's surrender date for four to six weeks so [REDACTED] and his wife can recover from COVID-19.

Thank you for your consideration of this request, and we apologize for the short notice of this application.

Respectfully submitted,

/s/

Anthony Cecutti
Kestine Thiele

*Surrender is adjourned to
2/11/22. A doctor's report should
accompany any further application
to delay surrender.*

*Officer Cole
1/13/22*

¹ <https://www.cdc.gov/media/releases/2021/s1227-isolation-quarantine-guidance.html>.